

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DWAYNE MIDDLETON,

Plaintiff,

v.

CHET SHAFFER, NURSE ASHLEY,

R. HEISE, and OFFICER MARIE T,

Defendants.

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Case No. 17-cv-00283-JPG-RJD

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiff's Motion [Doc. 22] for Default Judgment as to defendants Chet Shaffer, R. Heise, and Officer Marie T. For the following reason, this motion will be **DENIED**.

The Clerk of the Court entered a default order against defendants Chet Shaffer, R. Heise, and Officer Marie T on July 10, 2017, for failure to plead or otherwise defend in this case. Local Rule 55.1(a) states that the serving party shall give notice of the entry of the default to the defaulting party by regular mail sent to the last known address of the defaulted party and shall certify to the Court that notice has been sent.

Plaintiff's previous motion for default judgment [Doc. 20] was denied by this Court [Doc. 21] for Plaintiff's failure to certify to the Court that notice of the entry of the default was sent to defendants Chet Shaffer, R. Heise, and Officer Marie T. His current motion also fails to certify that he gave notice of the entry of default to the defaulting parties by regular mail sent to the last known addresses of the defaulting parties.

As such, Plaintiff's Motion [Doc. 22] for Default Judgment is again **DENIED** without prejudice for failure to comply with Local Rule 55.1.

**IT IS SO ORDERED.**

**DATED:** 8/9/2017

*s/J. Phil Gilbert*  
**J. PHIL GILBERT**  
**U.S. DISTRICT JUDGE**